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Attorneys for Defendant
 JOSEPH NUBLA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

 Plaintiff,

 v.
 JOSEPH NUBLA and HENRY KU,

 Defendants.

Case No. 3:21-cr-00139-RS

**STIPULATION TO RESCHEDULE
 STATUS CONFERENCE FROM
 SEPTEMBER 28, 2021 TO
 NOVEMBER 9, 2021 AND TO
 EXCLUDE TIME AND
 ORDER**

It is hereby stipulated by and between counsel for the United States and counsel for Defendants, Joseph Nubla and Henry Ku, that the status conference currently scheduled for September 28, 2021, be continued to November 9, 2021, and that time be excluded under the Speedy Trial Act from September 28, 2021, to November 9, 2021.

At the status conference held on May 11, 2021, the government and counsel for defendants agreed that time be excluded under the Speedy Trial Act so that defense counsel could continue to prepare, including by reviewing the discovery already produced, and for the government to produce additional discovery review by defense counsel. On June 24, 2021, the United States requested and this Court granted additional time to provide the additional discovery which required review by a taint attorney. The United States is requesting further additional time because that review is still ongoing. Counsel for defendants are in agreement

1 with this request for a continuance and the parties therefore request that this Court continue the
 2 status conference currently scheduled for September 28, 2021, to November 9, 2021.

3 For the reasons stated above, the parties stipulate and agree that excluding time from
 4 September 28, 2021, to November 9, 2021, will allow for the effective preparation of counsel.
 5 See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice
 6 served by excluding the time from September 28, 2021, to November 9, 2021, from computation
 7 under the Speedy Trial Act outweigh the best interests of the public and the defendants in a
 8 speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

9 The undersigned defense counsel certifies that he has obtained approval from the
 10 Assistant United States Attorney to file this stipulation and proposed order.

11
 12 Dated: September 24, 2021

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 14 By: /s/ Joshua Hill

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 18 *Attorney for Defendant*
 19 *Joseph Nubla*

20 Dated: September 24, 2021

21 By: /s/ Cynthia Stier

CYNTHIA STIER
 Assistant United States Attorney

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 23
 24 Dated: September 24, 2021

25 By: /s/ Randy Sue Pollock

RANDY SUE POLLOCK
 Counsel for Defendant Henry Ku

ORDER

Based upon the facts set forth in the stipulation of the parties it is HEREBY ORDERED that the status conference scheduled for September 28, 2021, at 2:30 p.m. is rescheduled to November 9, 2021, by telephone or videoconference. IT IS FURTHER ORDERED, for good cause shown, and this Court finds, that failing to exclude the time from September 28, 2021, to November 9, 2021, would unreasonably deny defense counsel and the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from September 28, 2021, to November 9, 2021, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from September 28, 2021, to November 9, 2021, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: September 24, 2021



RICHARD SEEBORG

Chief United States District Judge